



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)

*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.*

*This meeting will be televised live on Channel 6; repeated on 4/27/07 at 8 pm and 4/28/07 at 9 am*

**Tuesday, April 24, 2007**

9:30 **MOMENT OF SILENCE**

9:35 **PRESENTATION** - Proclamation in recognition of Equal Pay Day by Councilmember Floreen

9:40 **PRESENTATION** - Proclamation to Montgomery County Alumnae Chapter of Delta Sigma Theta Sorority, Inc. in recognition of Delta Youth Day in Montgomery County by Councilmember Ervin

9:45 **GENERAL BUSINESS**

(Lauer)

- (1) A. **Announcement** - Agenda and Calendar Changes  
B. **Acknowledgement** - Receipt of Petitions  
C. **Action** - Approval of Minutes: April 9 and 10, 2007  
Approval of Closed Session Minutes: February 27, 2007

(2) 9:50 **CONSENT CALENDAR**

- A. **Introduction** - Supplemental appropriations to the County Government's FY07 Operating Budget - Rockville Parking District NDA (\$227,880) and Department of Public Works and Transportation (\$20,000) for Rockville and Bethesda Libraries Parking (Source: General Fund)

(Orlin)

*Public Hearing is scheduled for 5/8/07 at 1:30 pm.*

- B. **Action** - Resolution to amend Resolution 15-1471 for the FY07 Designation of Entities for Non-Competitive Award Status: amendments to existing contracts for services to developmentally disabled individuals

(McGuire)

9:55 **LEGISLATIVE SESSION Day # 12**

- A. Approval of Legislative Journal (Lauer)
- B. Introduction of Bills
- (3) • **Bill 7-07**, Tenant Displacement - Sale of Rental Housing - Right of First Refusal, sponsored by the Council President at the request of the County Executive  
*Public Hearing is scheduled for 6/12/07 at 1:30 pm.*
- C. Call of Bills for final reading:
- (4) • **Expedited Bill 1-07**, Condominiums - Conversion of Rental Housing - Extended Tenancies (Boucher)  
*PHED Committee recommends approval with amendments.*

10:10 **DISTRICT COUNCIL SESSION**

- (5) A. Development Plan Amendment **DPA 06-1**: (Zyontz)
- Applicant:** Laurence Lipnick and Battery Lane LLC, (Stephen Kaufman, Heather Dlhopsky, and Debra Borden, Attorneys)
- Property:** Part of Lot 48, Block 2, Northwest Park Subdivision, located at Northwest Corner of Woodmont Avenue and Battery Lane, Bethesda, consisting of 23,820 square feet in the 7th Election District
- Action:** Replace the original proposed 10 townhouses with a mixed-use project to provide 46 multi-family residential units, including 8 MPDUs and ground floor retail/commercial use
- Recommendations:**
- |                   |         |
|-------------------|---------|
| Planning Staff:   | Approve |
| Planning Board:   | Approve |
| Hearing Examiner: | Approve |

10:15 **WORKSESSION/ACTION on the following:**

- (6) A. Compensation and Benefits (all agencies) (Farber)  
*MFP Committee recommendation will be available 4/19/07.*
- (7) B. Indication of Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Fraternal Order of Police, Lodge 35 (Faden)  
*MFP Committee recommendation will be available 4/19/07.*
- (8) C. Indication of Council's intention regarding the actions necessary to implement the Collective Bargaining Agreement with the Municipal & County Government Employees' Organization, Local 1994 (Faden)  
*MFP Committee recommendation will be available 4/19/07.*
- (9) 11:00 **INTERVIEWS** of County Executive's appointees: (Ferber)
- County Attorney: Leon Rodriguez
  - Chief Information Officer, Department of Technology Services: E. Steven Emanuel
  - Director, Office of Management and Budget: Joseph F. Beach  
*(6th floor Council Conference Room)*

12:15 **RECESS**

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- (10) 1:30 **PUBLIC HEARING** - Resolution to adopt Board of Health Regulation restricting trans fat use in eating and drinking establishments (Mihill)  
*HHS Committee worksession tentatively scheduled for 5/3/07.*

1:30 **PUBLIC HEARINGS** - Supplemental appropriations to the County Government's FY07 Operating Budget:

- (11) • Department of Health and Human Services - \$491,860 for Under One Roof: Integrating Community-Based Mental Health and Substance Abuse Services with Somatic Services Grant (Source: State of Maryland Community Health Resources Commission) (McGuire)  
*HHS Committee worksession tentatively scheduled for 4/24/07.*
- (12) • Arts and Humanities Council Non-Departmental Account - \$100,000 for Waters House Barn Adaptive Restoration (Source: General Fund Reserves) (Davidson)  
*HHS Committee worksession tentatively scheduled for 4/27/07.*
- (13) • Department of Finance - \$1,079,080 for Working Families Income Supplement Non-Department Account (Source: General Fund) (Sherer)  
*MFP Committee worksession tentatively scheduled for 4/23/07.*
- (14) • Office of Human Resources and Montgomery County Fire and Rescue Services - \$823,120 for Occupational Medical Services Program (Source: General Fund) (McGuire/Davidson)  
*MFP Committee worksession tentatively scheduled for 4/25/07.*
- (15) • Board of Elections - \$1,046,640 for Cost Overruns (Source: General Fund) (Mihill)  
*MFP Committee worksession tentatively scheduled for 4/25/07.*

2:00 **ADJOURN**

2:00 **HHS Committee** (7th floor Council Hearing Room)

2:00 **PHED Committee** (3rd floor Council Conference Room)

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 1, 2007:**

Agricultural Advisory Committee: Wade Butler, Theodore H. Butz, David Scott, Jr., Jane Seigler, Tim McGrath, Gregory P. Stone, Lois O. Stoner, Lee Langstaff

Agricultural Preservation Advisory Board: Diana Berchiolli, Vincent Berg

Board of Investment Trustees: Gino Renne

Board of Social Services: Bruce W. McGee, Jarnitha A. Woodson, Duchy Trachtenberg

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 1, 2007 (*continued*):**

Commission on Aging: Danielle F. Benjamin, Zoe P. Lefkowitz, Irwin Goldbloom, Michael H. Goldman, Judith Z. Jaffe, Norman Locksley, Patricia Lesnick, James W. Mayo, Ph.D., Beth K. Shapiro, Susan L. Phillips

Commission on Common Ownership Communities: Charles H. Fleischer, Antoinette Negro, Allen J. Farrar, Andrew Oxendine, Jeffrey R. Williams, Kevin Ganon

Commission on Juvenile Justice: Catherine Higgins, Aranthan S. Jones II, Douglas R. Miller, Bern Stapleton, Erika Cooksey, Leon F. Suskin, Allison Wright, Margaret Burrowes

Firearm Safety Committee: Sanford Adler, Mark Bjishkian, James Piatieski

Historic Preservation Commission: Caroline Alderson, Leslie K. Miles, David S. Rotenstein

Library Board: Brian S. Krantz

Pedestrian Safety Advisory Committee: Valerie Ervin

Taxicab Services Advisory Committee: David Mohebbi, Carl Schmitt, Arthur Jackson, Arnold B. Gordon

Victim Services Advisory Board: Rise Ain, Sandy Bromley, Chatonia Zollicoffer-Brown, Lester P. Stano, Debbie Kempl, Annette O. Hackey, David L. Kimberling, Monica Kinney, Rosa Pichardo, Lucy Shafner, Graziella Benenati Costanzo

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 8, 2007:**

Cable and Communications Advisory Committee: LeRoy Oettinger, Benjamin Wu, David Friedman, Mark Berman, Kelly Cameron, Suzanne J. Weiss, Kernan Chaisson

### **FUTURE COUNCIL MEETINGS**

**County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.**

**Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.**

<b>May 1, 2007</b>	<b>8:30 am</b>	<b>Breakfast Meeting with County Executive</b>
<b>May 1, 2007</b>	<b>9:45 am</b>	<b>Regular Session</b>
<b>May 7, 2007</b>	<b>9:30 am</b>	<b>Council Budget Worksession</b>
<b>May 8, 2007</b>	<b>9:30 am</b>	<b>Regular Session and Council Budget Worksession</b>
<b>May 8, 2007</b>	<b>12:30 pm</b>	<b>Meeting re: Bi-County Budgets</b>
<b>May 9, 2007</b>	<b>9:30 am</b>	<b>Council Budget Worksession</b>
<b>May 10, 2007</b>	<b>9:30 am</b>	<b>Council Budget Worksession</b>
<b>May 10, 2007</b>	<b>3:00 pm</b>	<b>Bi-County Meeting at WSSC</b>
<b>May 11, 2007</b>	<b>9:30 am</b>	<b>Council Budget Worksession</b>
<b>May 14, 2007</b>	<b>9:30 am</b>	<b>Council Budget Worksession</b>
<b>May 15, 2007</b>	<b>9:30 am</b>	<b>Regular Session and Council Budget Worksession</b>
<b>May 16, 2007</b>	<b>9:30 am</b>	<b>Council Budget Worksession</b>
<b>May 17, 2007</b>	<b>9:30 am</b>	<b>Council Budget Worksession</b>
<b>May 24, 2007</b>	<b>9:30 am</b>	<b>Hold for Budget Action</b>

### **FUTURE PUBLIC HEARINGS**

**To testify call 240-777-7931**

#### **May 1, 2007**

- 1:30 pm Resolution to amend FY08 Transportation Fees, Charges, and Fares
- 1:30 pm Resolution to set amount of Property Tax Credit for Income Tax Offset
- 1:30 pm Supplemental appropriations to the County Government's FY07 Operating Budget, DPWT
  - \$150,000 for Project Civic Access
  - \$973,440 for Division of Transit Services
- 1:30 pm Special appropriation to the MCPS' FY07 Capital Budget - \$3,572,000 for Relocatable Classrooms
- 1:30 pm Supplemental appropriation to the MC's FY07 Operating Budget - \$700,000 for Art Gallery Renovation
- 7:00 pm MCPS' FY08 Capital Budget and FY07-12 CIP amendments

#### **May 3, 2007**

- 7:30 pm Hold for revenue measures

#### **May 8, 2007**

- 1:30 pm Special appropriation to the MCPS' FY07 Capital Budget and amendment to the FY07-12 CIP - \$1,200,000 for Stormwater Management
- 1:30 pm Special appropriation to the MCPS' FY07 Capital Budget - \$3,572,000 for Relocatable Classrooms
- 1:30 pm Supplemental appropriations to the County Government's FY07 Operating Budget - Rockville Parking District NDA (\$227,880) and DPWT (\$20,000) for Rockville and Bethesda Libraries Parking



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